

Interview Summary	Application No. 09/502,698	Applicant(s) FUNAHASHI ET AL.	
	Examiner Prema M Mertz	Art Unit 1646	

All participants (applicant, applicant's representative, PTO personnel):

(1) Prema M Mertz (Primary Examiner).

(3) Margo Furman.

(2) Janis Fraser (Attorney).

(4) _____.

Date of Interview: 20 October 2004.

Type: a) ☐ Telephonic b) ☐ Video Conference

c) ☒ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☐ No.

If Yes, brief description: Ullmer et al (1998).

Claim(s) discussed: 3 and 35-37.

Identification of prior art discussed: none.

Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Prema Mertz
Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Attorney Janis Fraser set forth arguments for utility of the protein as a liver-specific marker (tissue-specific marker) and a marker for lung cancer because of differential expression of the DNA in a lung cancer cell line relative to normal lung tissue. However, such expression does not meet the criteria for a substantial utility for the instant protein. Applicants would submit post-filing evidence of a protein 98% identical to a portion of the claimed protein which was demonstrated to bind one of the serotonin receptors .